29th January 1931]

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"The order is not ultra vires."

Mr. V. P. NARAYANAN NAMBIYAR :—"May I know whether the Government are aware that the order is working great hardships and inequalities?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"It cannot be said that the order is working much hardship and inequalities. Some District Munsifs think that it works hardship."

Mr. V. P. NARAYANAN NAMBIYAR :—"May I ask whether the Government will sympathetically consider the question after the present financial stringency?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Yes, Sir."

## Criminal Justice

*Convictions under the Criminal Law Amendment Act.*

*186-A Q.—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state—

(a) how many persons have been convicted on the ground that they were members of Congress organizations declared to be unlawful; 11-15 a.m.

(b) how many of them are now undergoing sentence in jails; and

(c) whether the Government have examined or propose to examine the legality involved in these convictions in the light of the judgments recently delivered by the Chief Justice and Mr. Justice Murphy of the Bombay High Court in similar cases arising from the conviction of three Congressmen under the Criminal Law Amendment Act?

A.—(a) & (b) The Government have no information as to the number of persons convicted of being members of an association declared to be unlawful or of those still undergoing imprisonment.

(c) The Code of Criminal Procedure contains provisions enabling the High Court of this Presidency to review such cases, either on its own motion or on the motion of the parties concerned. It is therefore unnecessary for the Government to move in the matter.

Mr. A. RANGANATHA MUDALIYAR :—"It is stated in clause (c) of the answer that the High Court can review such cases either on its own motion or on the motion of the parties concerned. I want to know whether the Government are not a party to this case?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"Government are a party in all criminal cases. And Government are a party in these cases only in that sense."

Mr. A. RANGANATHA MUDALIYAR :—"Are the Government aware, Sir, that the people concerned in these cases are pledged not to take part in the proceedings of the court, nor to put in any defence for themselves?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"I do not know that, Sir. Some persons do put in their defence."

Mr. A. RANGANATHA MUDALIYAR :—"Is there any objection to the Government themselves taking these cases to the High Court?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"There is no objection ; but there is no need."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"May I ask whether the Government will call for information with regard to clauses (*a*) and (*b*) of the question ?"

The hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—"I shall consider the suggestion, if my hon. Friend is very particular about it."

*Arrests under the Criminal Law Amendment Act.*

*186-B Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Law Member be pleased to state—

(*a*) the total number of people arrested up to date under the Criminal Law Amendment Act together with the names of their respective districts; and

(*b*) whether any steps have been taken by the Government to take up their cases to the High Court?

A.—(*a*) & (*b*) The hon. Member is referred to answer to question No. 186-A starred.

*Revision of sentences passed on political prisoners.*

*186-C Q.—Mr. SAMI VENKATACHALAM CHETTI : Will the hon. the Law Member be pleased to state—

(*a*) whether the Government have taken any steps to find out in how many cases of convictions of civil disobedience prisoners, the convictions were illegal ;

(*b*) whether any cases of such illegality have been brought to their notice by petitions or in any other manner ; and

(*c*) whether the Government have considered the question of appointing a committee to revise such sentences ?

A.—(*a*) No.

(*b*) Convictions in one or two cases have been reversed on appeal or in revision.

(*c*) No ; no committee could be empowered to revise sentences imposed by a court of law.

## Jails

*Refusal of political prisoners to give thumb impressions in Cannanore Jail*

*187-A Q.—Mr. A. B. SHETTY : Will the hon. the Law Member be pleased to state—

(*a*) how many political prisoners in Cannanore Jail have refused to give their finger-prints to the Police ;

(*b*) what punishment has been given to them for such refusal ;

(*c*) whether a copy of the statement filed by the accused in this connexion will be placed on the table of the House ; and

(*d*) whether political prisoners in any other jail have similarly refused to give their thumb impressions, and if so, where ?